## **Chin v. RCN Corporation**

## Summary of Lodestar from inception through May 28, 2010

<u>Name</u>	<b>Position</b>	<b>Hourly Rate</b>	<b>Hours</b>	<b>Total</b>
Michael Reese	Partner	\$650	587.00	\$381,550.00
Kim Richman	Partner	\$575	229.50	\$131,962.50
Belinda Williams	Senior Counse	1 \$550	5.50	\$3,025.00
Stephanie Bealby	Paralegal	\$250	53.50	\$13,375.00
Total			875.50	\$529,912.50

## **RCN** Time for Reese Richman LLP (from inception of case through May 28, 2010)

## 2008

<b>February</b>			
2/15/08	MR	Discuss problems w/ RCN w/ client Sabrina Chin	0.75
2/18/08	MR	Research potential RCN throttling suit; conduct online research re RCN and internet throttling	8.5
2/19/08	MR	Research Comcast case pending in California; compare to alleged misconduct of RCN and Chin's experiences	5.5
2/19/08	KR	Investigate potential throttling practices by RCN; research print publications, blogs & online customer complaints	3.5
2/20/08	MR	Research complaints regarding RCN's internet service	2.25
2/20/08	KR	Investigate "network management" practices of RCN and industry standards	5.0
2/22/08	KR	Further investigate "network management" practices and disclosures by RCN; review print articles & EFF white paper re throttling	6.5
May			
5/09/08	MR	Further discuss problems w/ RCN w/ client Sabrina Chin	0.25
5/13/08	MR	Discuss potential suit against RCN w/ K. Richman	0.50
5/13/08	KR	Discuss potential RCN suit w/ Reese; research academic throttling studies on detecting BitTorrent blocking	4.5
5/13/08	MR	Research RCN throttling suit; conduct online research regarding throttling; read blogs by RCN employee re throttling	5.25
5/20/08	MR	Research ways RCN could conduct throttling; research methodologies to test for throttling	8.5
5/20/08	KR	Review court dockets ( <i>i.e.</i> , Comcast) and case law re CFAA claim; confer w/ colleagues re loss & damage elements of CFAA	5.5
5/21/08	MR	Discussion w/ Richman re potential claims; discussion of possibility of federal claims or just state. Discussion of possible venues. Review recent CAFA decisions.	3.5
5/21/08	KR	Discussion w/ Michael re: claims; conduct research for potential federal v. state claims	5.0
5/22/08	KR	Discussion w/ Michael re: potential federal claim  – CAFA; further review of dockets & case law re CFAA claim; further confer w/ colleagues re: loss & damage elements of CFAA; research scope and applicability of CFAA	7.0
5/22/08	MR	Discussion re federal claim w/ Richman	0.75

5/23/08	KR	Research types of internet applications targeted or affected by RCN throttling; research scope and purpose of P2P applications	5.0
5/23/08	MR	Run diagnostic test on RCN to detect throttling	4.5
<u>June</u>			
6/10/08	MR	Research RCN corporate structure; website; 10-Ks; 10-Qs; marketing materials, <i>etc.</i> to determine geographic scope of potential class; research state of Virginia consumer protection law	
6/10/08	KR	Research state consumer protections laws based upon locations where RCN conducts business	6.0
6/11/08	KR	Research various state consumer protection laws based upon locations where RCN conduct internet business	8.5
6/12/08	KR	Research other types of throttling reports, complaints and cases	6.0
6/12/08	KR	Discussion w/ Michael re other types of throttling case	0.5
6/12/08	MR	Discussion w/ Kim re other throttling – Netflix; Comcast	0.5
6/13/08	KR	D & B analysis of RCN; research potential entities – parent v. subsidiaries; potential choice of law provisions	5.0
6/16/08	KR	Research RCN music services; Investigated bundled services offered by other ISPs	4.5
6/17/08	KR	Research RCN marketing claims re quality of internet connections; compare/contrast connection speeds to other ISPs	5.5
6/24/08	KR	Research different type of internet services offered by RCN ( <i>i.e.</i> , tiered service plans)	2.5
6/30/08	MR	Research possible federal claims other than CFAA;	1.5
6/30/08	KR	research CFAA claims	5.0
<u>July</u>			
7/8/08	MR	Research possibility of Virginia state claims as class action at state level; analyze <i>Chilsom</i> case	5.5
7/10/08	MR	Draft complaint based upon Virginia consumer protection statute	7.75
7/11/08	MR	Draft introductory paragraphs to complaint	3.5
7/11/08	KR	Research terms and conditions of RCN currently and throughout proposed Class Period; research any potential arbitration issues	6.5
7/15/08	MR	Draft factual allegations section of complaint	8.5
7/16/08	MR	Draft factual allegations section of complaint	5.5
7/17/08	KR	Review factual allegations of complaint	3.5
7/21/08	KR	Further review factual allegations of complaint; research consumer protection claims	6.0

8/4/08         KR         Review and finalize factual allegations of complaint; research legal allegations         3.0           8/4/08         MR         Research scope of class under New York law claims; 5.75           8/5/08         MR         Review possible preemption arguments; FCC scope 7.5           8/8/08         MR         Draft legal claims parts of complaint 2.75           8/8/08         MR         Call Weiss at Dreier and invite him to co-counsel case that RR LLP has been retained on and developed; send complaint to Weiss end complaint to Weiss 8           8/11/08         MR         Read WIRED article re RCN throttling 0.5           8/11/08         MR         Read WIRED article re RCN throttling 0.5           8/11/08         MR         Review and finalize legal allegations of complaint 1.5           8/11/08         MR         Draft and finalize complaint for client review 10.5           8/11/08         MR         Draft and finalize complaint for client review 10.5           8/12/08         MR         Draft and finalize complaint of client review 10.5           8/12/08         MR         Discuss of finalize complaint of client review 10.5           8/13/08         MR         Discuss of the complaint of client review 10.5           8/13/08         MR         Discuss of the complaint of client review 10.5           8/15/08         MR         Discus	<b>August</b>			
8/4/08         MR         Research scope of class under New York law claims; Analyze Goshen and Roberts' Gournet case law         5.75           8/5/08         MR         Review possible preemption arguments; FCC scope         7.5           8/8/08         MR         Draft legal claims parts of complaint         2.75           8/8/08         MR         Review legal allegations         1.5           8/8/08         MR         Call Weiss at Dreier and invite him to co-counsel case that RR LLP has been retained on and developed; send complaint to Weiss         0.25           8/11/08         MR         Read WIRED article re RCN throttling         0.5           8/11/08         MR         Read WIRED article re RCN throttling         0.5           8/11/08         MR         Read WIRED article re RCN throttling         0.5           8/11/08         MR         Read WIRED article re RCN throttling         0.5           8/11/08         MR         Draft and finalize complaint of Complaint of Complaint         1.0           8/12/08         MR         Draft and finalize complaint of C	8/4/08	KR	Review and finalize factual allegations of	3.0
Analyze Goshen and Roberts' Gourmet case law  8/5/08 MR Review possible preemption arguments; FCC scope  7.5  8/8/08 MR Poraft legal claims parts of complaint  2.75  8/8/08 KR Review legal allegations  7.5  8/8/08 MR Call Weiss at Dreier and invite him to co-counsel case that RR LLP has been retained on and developed; send complaint to Weiss  8/11/08 MR Read WIRED article re RCN throttling  8/11/08 MR Read WIRED article re RCN throttling  9.5  8/11/08 MR Discussion w/ Weiss re status of draft  9.75  8/12/08 MR Draft and finalize complaint for client review  10.5  8/13/08 MR Discussion w/ Weiss re status of draft  9.5  8/13/08 MR Discuss w/ VA local counsel Surovell re filing  1.6  8/13/08 MR Discuss draft of complaint w/ client at dinner  1.0  8/13/08 MR Discuss draft of complaint w/ client at dinner  1.0  8/14/08 MR Research filing in SDNY instead of VA due to client's  5.5  8/15/08 MR Discuss w/ VA counsel that we are filing in SDNY  8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY  8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY  8/18/08 MR Finalize complaint for filing  8/28/08 MR Discussion w/ Weiss re filing  8/28/08 MR Meeting w/ consultant re series of diagnostic tests  1.0  1.0  8/28/08 MR Meeting w/ consultant re series of diagnostic tests  1.0  1.0  1.0  1.0  1.0  1.0  1.0  1.			complaint; research legal allegations	
8/5/08         MR         Review possible preemption arguments; FCC scope         7.5           8/8/08         MR         Draft legal claims parts of complaint         2.75           8/8/08         KR         Review legal allegations         1.5           8/8/08         MR         Call Weiss at Dreier and invite him to co-counsel case that RR LLP has been retained on and developed; send complaint to Weiss         0.25           8/11/08         MR         Read WIRED article re RCN throttling         0.5           8/11/08         MR         Read WIRED article re RCN throttling         0.5           8/11/08         MR         Discussion w/ Weiss re status of draft         0.75           8/11/08         MR         Discussion w/ Weiss re status of draft         0.75           8/12/08         KR         Review and finalize complaint for client review         10.5           8/12/08         KR         Review and finalize complaint         3.0           8/13/08         MR         Discuss w/ Va local counsel Surovell re filing         0.5           8/13/08         MR         Discuss draft of complaint w/ client at dinner         1.0           8/15/08         MR         Change complaint in SDNY instead of VA due to client's         5.5           8/15/08         MR         Discussion will cause in the sum o	8/4/08	MR	Research scope of class under New York law claims;	5.75
8/8/08 MR Draft legal claims parts of complaint 2.75 8/8/08 KR Review legal allegations 1.5 8/8/08 MR Call Weiss at Dreier and invite him to co-counsel case that RR LLP has been retained on and developed; send complaint to Weiss 8/11/08 MR Read WIRED article re RCN throttling 0.5 8/11/08 MR Review and finalize legal allegations of complaint 1.5 8/12/08 MR Discussion w/ Weiss re status of draft 0.75 8/12/08 MR Draft and finalize complaint for client review 10.5 8/13/08 MR Discuss w/ VA local counsel Surovell re filing 0.5 8/13/08 MR Discuss w/ VA local counsel Surovell re filing 1.0 8/13/08 MR Discuss word for complaint w/ client at dinner 1.0 8/14/08 MR Research filing in SDNY instead of VA due to client's 5.5 8/15/08 MR Change complaint to SDNY instead of EDVA 5.5 8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25 8/18/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25 8/18/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25 8/18/08 MR Discussion w/ Weiss re filing 0.25 8/18/08 MR Research and investigate expert; research re effective 1.0 8/28/08 MR Research regarding which judge case assigned to 0.25 8/28/08 MR Research DSL reports regarding RCN's throttling 5.75 9/11/08 MR Research RCN's potential violation of net neutrality 1.5 9/15/08 MR Research RCN's potential violation of net neutrality 1.6 9/15/08 MR Research RCN's stance on BitTorrent and whether its runs 1.0 8/16/08 MR Research and investigate significant packet loss rate in 10.5 8/16/08 MR Research and investigate significant packet loss rate in 10.5 8/16/08 MR Research and investigate significant packet loss rate in 10.5			Analyze Goshen and Roberts' Gourmet case law	
8/8/08 KR Review legal allegations  8/8/08 MR Call Weiss at Dreier and invite him to co-counsel case that RR LLP has been retained on and developed; send complaint to Weiss  8/11/08 MR Read WIRED article re RCN throttling  8/11/08 KR Review and finalize legal allegations of complaint  1.5  8/11/08 MR Discussion w/ Weiss re status of draft  9/12/08 MR Draft and finalize complaint for client review  10.5  8/12/08 MR Draft and finalize complaint for client review  10.5  8/13/08 MR Discuss w/ VA local counsel Surovell re filing  10.5  8/13/08 MR Discuss draft of complaint w/ client at dinner  1.0  8/13/08 MR Research filing in SDNY instead of VA due to client's residence; amount of business conducted by RCN in NY  8/15/08 MR Research filing in SDNY instead of EDVA  5.5  8/18/08 MR Discuss w/ local VA counsel that we are filing in SDNY  8/18/08 MR Discuss w/ local VA counsel that we are filing in SDNY  8/18/08 MR Discuss w/ Weiss re filing  8/28/08 MR Discussion w/ Weiss re filing  8/28/08 MR Discussion w/ Weiss re filing  8/28/08 MR Discussion w/ Weiss re filing  8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert  8/28/08 MR Discussion w/ Richman re potential expert  8/28/08 MR Research regarding which judge case assigned to  9/11/08 MR Research regarding which judge case assigned to  9/11/08 MR Research PSL reports regarding RCN's throttling  9/15/08 MR Research RCN's potential violation of net neutrality  10.5  8/16/08 MR Research RCN's potential violation of net neutrality  10.5  8/16/08 MR Research RCN's stance on BitTorrent and whether its runs  10.5  8/16/08 MR Research RCN's stance on BitTorrent and whether its runs  10.5  8/16/08 MR Research RCN's stance on BitTorrent and whether its runs  10.5  8/16/08 MR Research RCN's stance on BitTorrent and whether its runs  10.5  1	8/5/08	MR	Review possible preemption arguments; FCC scope	7.5
8/8/08 MR Call Weiss at Dreier and invite him to co-counsel case that RR LLP has been retained on and developed; send complaint to Weiss at Preier RCN throttling	8/8/08	MR	Draft legal claims parts of complaint	2.75
that RR LLP has been retained on and developed; send complaint to Weiss  8/11/08 MR Read WIRED article re RCN throttling  8/11/08 KR Review and finalize legal allegations of complaint  1.5  8/11/08 MR Discussion w/ Weiss re status of draft  0.75  8/12/08 MR Draft and finalize complaint for client review  10.5  8/12/08 KR Review and finalize complaint  8/13/08 MR Discuss w/ VA local counsel Surovell re filing  in E.D. Va.  8/13/08 MR Discuss draft of complaint w/ client at dinner  1.0  8/14/08 MR Discuss draft of complaint w/ client at dinner  1.0  8/14/08 MR Research filing in SDNY instead of VA due to client's  residence; amount of business conducted by RCN in NY  8/15/08 MR Change complaint to SDNY instead of EDVA  5.5  8/18/08 MR Discuss w/ local VA counsel that we are filing in SDNY  0.25  8/18/08 MR Discuss w/ Weiss re filing  8/28/08 MR Discussion w/ Weiss re filing  8/28/08 MR Finalize complaint; summons; civil cover sheet for  filing  8/28/08 MR Meeting w/ consultant re series of diagnostic tests  to be conducted on RCN network re throttling and  potential consultation/expert  8/28/08 MR Discussion w/ Richman re potential expert  0.5  8/28/08 MR Research regarding which judge case assigned to  9/11/08 MR Research DSL reports regarding RCN's throttling  9/11/08 MR Research BCN's potential violation of net neutrality  rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs  contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in  New York City metropolitan area and draft allegations  re abnormal packet loss rate	8/8/08	KR	Review legal allegations	1.5
send complaint to Weiss 8/11/08 MR Read WIRED article re RCN throttling 8/11/08 KR Review and finalize legal allegations of complaint 1.5 8/12/08 MR Discussion w/ Weiss re status of draft 0.75 8/12/08 MR Draft and finalize complaint for client review 10.5 8/12/08 KR Review and finalize complaint for client review 10.5 8/13/08 MR Discuss w/ VA local counsel Surovell re filing 10.5 11.5 11.5 11.5 11.5 11.5 11.5 11.5	8/8/08	MR	Call Weiss at Dreier and invite him to co-counsel case	0.25
8/11/08 MR Read WIRED article re RCN throttling 8/11/08 KR Review and finalize legal allegations of complaint 1.5 8/11/08 MR Discussion w/ Weiss re status of draft 0.75 8/12/08 MR Draft and finalize complaint for client review 1.0.5 8/12/08 KR Review and finalize complaint 3.0.0 8/13/08 MR Draft and finalize complaint 3.0.0 8/13/08 MR Discuss w/ VA local counsel Surovell re filing in E.D. Va. 8/13/08 MR Discuss draft of complaint w/ client at dinner 1.0 8/14/08 MR Research filing in SDNY instead of VA due to client's residence; amount of business conducted by RCN in NY 8/15/08 MR Change complaint to SDNY instead of EDVA 5.5 8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 8/18/08 MR Finalize complaint for filing 5.5 8/18/08 MR Finalize complaint; summons; civil cover sheet for filing 8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert 8/28/08 MR Meeting re potential expert; research re effective Bit Torrent detection program  September 9/3/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Research BCN's potential violation of net neutrality rules and standards 9/16/08 MR Research RCN's potential violation of net neutrality rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate			that RR LLP has been retained on and developed;	
8/11/08 KR Review and finalize legal allegations of complaint 1.5 8/11/08 MR Discussion w/ Weiss re status of draft 0.75 8/12/08 KR Review and finalize complaint for client review 10.5 8/12/08 KR Review and finalize complaint for client review 10.5 8/13/08 MR Discuss w/ VA local counsel Surovell re filing in E.D. Va. 8/13/08 MR Discuss draft of complaint w/ client at dinner 1.0 8/14/08 MR Research filing in SDNY instead of VA due to client's 5.5 residence; amount of business conducted by RCN in NY 8/15/08 MR Change complaint to SDNY instead of EDVA 5.5 8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25 8/18/08 MR Finalize complaint for filing 5.5 8/18/08 MR Finalize complaint; summons; civil cover sheet for 6.75 filing 6.75 8/28/08 MR Meeting w/ consultant re series of diagnostic tests 1.0 8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert 0.5 8/28/08 MR Discussion w/ Richman re potential expert 0.5 8/28/08 MR Meeting re potential expert; research re effective 1.5 Bit Torrent detection program  September 9/3/08 MR Research regarding which judge case assigned to 0.25 8/11/08 MR Research CN's spotential violation of net neutrality rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate			send complaint to Weiss	
8/11/08 MR Discussion w/ Weiss re status of draft 0.75 8/12/08 MR Draft and finalize complaint for client review 10.5 8/12/08 KR Review and finalize complaint of client review 3.0 8/13/08 MR Discuss w/ VA local counsel Surovell re filing in E.D. Va. 8/13/08 MR Discuss draft of complaint w/ client at dinner 1.0 8/14/08 MR Discuss draft of complaint w/ client at dinner 1.0 8/14/08 MR Research filing in SDNY instead of VA due to client's 5.5 residence; amount of business conducted by RCN in NY 8/15/08 MR Change complaint to SDNY instead of EDVA 5.5 8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25 8/18/08 MR Finalize complaint for filing 5.5 8/18/08 MR Discussion w/ Weiss re filing 0.25 8/19/08 MR Finalize complaint; summons; civil cover sheet for 6.75 filing 8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert 8/28/08 MR Discussion w/ Richman re potential expert 0.5 8/28/08 KR Meeting re potential expert; research re effective 4.5 Bit Torrent detection program  September 9/3/08 MR Research regarding which judge case assigned to 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality 6.5 9/15/08 MR Research RCN's potential violation of net neutrality rules and standards 9/16/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/11/08	MR	Read WIRED article re RCN throttling	0.5
8/12/08 MR Poraft and finalize complaint for client review 3.0 8/13/08 KR Review and finalize complaint 3.0 8/13/08 MR Discuss w/ VA local counsel Surovell re filing in E.D. Va. 8/13/08 MR Discuss draft of complaint w/ client at dinner 1.0 8/14/08 MR Research filing in SDNY instead of VA due to client's 5.5 residence; amount of business conducted by RCN in NY 8/15/08 MR Change complaint to SDNY instead of EDVA 5.5 8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25 8/18/08 MR Discussion w/ Weiss re filing 5.5 8/18/08 MR Discussion w/ Weiss re filing 6.75 8/18/08 MR Discussion w/ Weiss re filing 7.2 8/28/08 MR Discussion w/ Research reserved on RCN network re throttling and potential consultation/expert 8.7 8/28/08 MR Discussion w/ Richman re potential expert 7.5 8/28/08 MR Discussion w/ Richman re potential expert 8.7 8/28/08 MR Meeting re potential expert; research re effective 8.7 8/28/08 MR Research regarding which judge case assigned to 7.2 9/11/08 MR Research DSL reports regarding RCN's throttling 7.7 9/15/08 MR Research RCN's potential violation of net neutrality 7.0 9/15/08 MR Research RCN's potential violation of net neutrality 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations 7.0 8/16/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations 7.0	8/11/08	KR	Review and finalize legal allegations of complaint	1.5
8/12/08 KR Review and finalize complaint 3.0 8/13/08 MR Discuss w/ VA local counsel Surovell re filing in E.D. Va.  8/13/08 MR Discuss draft of complaint w/ client at dinner 1.0 8/14/08 MR Research filing in SDNY instead of VA due to client's 5.5 residence; amount of business conducted by RCN in NY 8/15/08 MR Change complaint to SDNY instead of EDVA 5.5 8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25 8/18/08 MR Finalize complaint for filing 5.5 8/18/08 MR Discussion w/ Weiss re filing 0.25 8/19/08 MR Finalize complaint; summons; civil cover sheet for 6.75 filing 6.75 8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert 0.5 8/28/08 KR Meeting re potential expert; research re effective 1.0 8/28/08 MR Discussion w/ Richman re potential expert 1.0 8/28/08 MR Discussion w/ Richman re potential expert 1.0 8/28/08 MR Research regarding which judge case assigned to 1.0 8/28/08 MR Research regarding which judge case assigned to 1.25 9/11/08 MR Research DSL reports regarding RCN's throttling 1.75 9/15/08 MR Research RCN's potential violation of net neutrality 1.75 9/15/08 MR Research RCN's potential violation of net neutrality 1.75 9/15/08 MR Research RCN's stance on BitTorrent and whether its runs 1.75 9/16/08 MR Research and investigate significant packet loss rate in 10.5 9/17/08 MR Research and investigate significant packet loss rate in 10.5 9/17/08 MR Research and investigate significant packet loss rate in 10.5	8/11/08	MR	Discussion w/ Weiss re status of draft	0.75
8/13/08 MR Discuss w/ VA local counsel Surovell re filing in E.D. Va.  8/13/08 MR Discuss draft of complaint w/ client at dinner 1.0  8/14/08 MR Research filing in SDNY instead of VA due to client's 5.5 residence; amount of business conducted by RCN in NY  8/15/08 MR Change complaint to SDNY instead of EDVA 5.5  8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25  8/18/08 MR Finalize complaint for filing 5.5  8/18/08 MR Discussion w/ Weiss re filing 0.25  8/19/08 MR Finalize complaint; summons; civil cover sheet for 6.75  filing 0.25  8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert 0.5  8/28/08 MR Discussion w/ Richman re potential expert 0.5  8/28/08 MR Meeting re potential expert; research re effective Bit Torrent detection program  September 9/3/08 MR Research regarding which judge case assigned to 0.25  9/11/08 MR Correspondence to Neger re posture of case 0.25  9/12/08 MR Research DSL reports regarding RCN's throttling 5.75  9/15/08 MR Research RCN's potential violation of net neutrality rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs contrary to statements made to public re quality of service 9/17/08  MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/12/08	MR	Draft and finalize complaint for client review	10.5
in E.D. Va.  8/13/08 MR Discuss draft of complaint w/ client at dinner  8/14/08 MR Research filing in SDNY instead of VA due to client's residence; amount of business conducted by RCN in NY  8/15/08 MR Change complaint to SDNY instead of EDVA  8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY  8/18/08 MR Finalize complaint for filing  5.5  8/18/08 MR Discussion w/ Weiss re filing  8/28/08 MR Finalize complaint; summons; civil cover sheet for filing  8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert  8/28/08 MR Discussion w/ Richman re potential expert  8/28/08 KR Meeting re potential expert; research re effective Bit Torrent detection program  September  9/3/08 MR Research regarding which judge case assigned to 0.25  9/11/08 MR Correspondence to Neger re posture of case 0.25  9/12/08 MR Research DSL reports regarding RCN's throttling 5.75  9/15/08 MR Research RCN's potential violation of net neutrality rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/12/08	KR	Review and finalize complaint	3.0
8/13/08 MR Discuss draft of complaint w/ client at dinner 1.0 8/14/08 MR Research filing in SDNY instead of VA due to client's 5.5 residence; amount of business conducted by RCN in NY 8/15/08 MR Change complaint to SDNY instead of EDVA 5.5 8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25 8/18/08 MR Finalize complaint for filing 5.5 8/18/08 MR Discussion w/ Weiss re filing 0.25 8/19/08 MR Finalize complaint; summons; civil cover sheet for 6.75 filing 6.75 8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert 0.5 8/28/08 MR Discussion w/ Richman re potential expert 0.5 8/28/08 KR Meeting re potential expert; research re effective Bit Torrent detection program  September 9/3/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/13/08	MR	Discuss w/ VA local counsel Surovell re filing	0.5
8/14/08 MR Research filing in SDNY instead of VA due to client's residence; amount of business conducted by RCN in NY  8/15/08 MR Change complaint to SDNY instead of EDVA 5.5  8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25  8/18/08 MR Finalize complaint for filing 5.5  8/18/08 MR Discussion w/ Weiss re filing 0.25  8/19/08 MR Finalize complaint; summons; civil cover sheet for 6.75  filing 6.75  8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert 0.5  8/28/08 MR Discussion w/ Richman re potential expert 0.5  8/28/08 KR Meeting re potential expert; research re effective Bit Torrent detection program  September 9/3/08 MR Research regarding which judge case assigned to 0.25  9/11/08 MR Correspondence to Neger re posture of case 0.25  9/12/08 MR Research DSL reports regarding RCN's throttling 5.75  9/15/08 MR Research RCN's potential violation of net neutrality rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate			in E.D. Va.	
residence; amount of business conducted by RCN in NY  8/15/08 MR Change complaint to SDNY instead of EDVA 5.5  8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25  8/18/08 MR Finalize complaint for filing 5.5  8/18/08 MR Discussion w/ Weiss re filing 0.25  8/19/08 MR Finalize complaint; summons; civil cover sheet for 6.75  filing 6.75  8/28/08 MR Meeting w/ consultant re series of diagnostic tests 1.0  to be conducted on RCN network re throttling and potential consultation/expert 6.5  8/28/08 MR Discussion w/ Richman re potential expert 6.5  8/28/08 KR Meeting re potential expert; research re effective 6.5  Bit Torrent detection program 6.25  8/28/08 MR Research regarding which judge case assigned to 6.25  9/11/08 MR Correspondence to Neger re posture of case 6.25  9/12/08 MR Research DSL reports regarding RCN's throttling 6.5  rules and standards 9/16/08 MR Research RCN's potential violation of net neutrality 6.5  rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0  contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/13/08	MR	Discuss draft of complaint w/ client at dinner	1.0
8/15/08 MR Change complaint to SDNY instead of EDVA 5.5 8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25 8/18/08 MR Finalize complaint for filing 5.5 8/18/08 MR Discussion w/ Weiss re filing 0.25 8/19/08 MR Finalize complaint; summons; civil cover sheet for 6.75 filing 0.25 8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert 0.5 8/28/08 MR Discussion w/ Richman re potential expert 0.5 8/28/08 KR Meeting re potential expert; research re effective Bit Torrent detection program 0.25 8/28/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/14/08	MR	Research filing in SDNY instead of VA due to client's	5.5
8/15/08 MR Discuss w/ local VA counsel that we are filing in SDNY 0.25 8/18/08 MR Finalize complaint for filing 5.5 8/18/08 MR Discussion w/ Weiss re filing 0.25 8/19/08 MR Finalize complaint; summons; civil cover sheet for filing 6.75 8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert 8.728/08 MR Discussion w/ Richman re potential expert 0.5 8/28/08 KR Meeting re potential expert; research re effective Bit Torrent detection program 4.5  September 9/3/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate			residence; amount of business conducted by RCN in NY	
8/18/08 MR Finalize complaint for filing 5.5 8/18/08 MR Discussion w/ Weiss re filing 0.25 8/19/08 MR Finalize complaint; summons; civil cover sheet for filing 6.75 8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert 8/28/08 MR Discussion w/ Richman re potential expert 0.5 8/28/08 KR Meeting re potential expert; research re effective 8/28/08 Bit Torrent detection program 4.5  September 9/3/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality 6.5 rules and standards 9/16/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/15/08	MR	Change complaint to SDNY instead of EDVA	5.5
8/18/08 MR Discussion w/ Weiss re filing 0.25 8/19/08 MR Finalize complaint; summons; civil cover sheet for filing  8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert  8/28/08 MR Discussion w/ Richman re potential expert 0.5 8/28/08 KR Meeting re potential expert; research re effective Bit Torrent detection program  September  9/3/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality 6.5 rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/15/08	MR	Discuss w/ local VA counsel that we are filing in SDNY	0.25
8/19/08 MR Finalize complaint; summons; civil cover sheet for filing  8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert  8/28/08 MR Discussion w/ Richman re potential expert 0.5  8/28/08 KR Meeting re potential expert; research re effective Bit Torrent detection program  September  9/3/08 MR Research regarding which judge case assigned to 0.25  9/11/08 MR Correspondence to Neger re posture of case 0.25  9/12/08 MR Research DSL reports regarding RCN's throttling 5.75  9/15/08 MR Research RCN's potential violation of net neutrality 6.5  rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0  contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/18/08	MR	Finalize complaint for filing	5.5
filing  MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert  8/28/08 MR Discussion w/ Richman re potential expert 0.5  8/28/08 KR Meeting re potential expert; research re effective 4.5  Bit Torrent detection program  September  9/3/08 MR Research regarding which judge case assigned to 0.25  9/11/08 MR Correspondence to Neger re posture of case 0.25  9/12/08 MR Research DSL reports regarding RCN's throttling 5.75  9/15/08 MR Research RCN's potential violation of net neutrality 6.5  rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0  contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/18/08	MR	Discussion w/ Weiss re filing	0.25
8/28/08 MR Meeting w/ consultant re series of diagnostic tests to be conducted on RCN network re throttling and potential consultation/expert  8/28/08 MR Discussion w/ Richman re potential expert 0.5  8/28/08 KR Meeting re potential expert; research re effective 4.5  Bit Torrent detection program  September  9/3/08 MR Research regarding which judge case assigned to 0.25  9/11/08 MR Correspondence to Neger re posture of case 0.25  9/12/08 MR Research DSL reports regarding RCN's throttling 5.75  9/15/08 MR Research RCN's potential violation of net neutrality 6.5  rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0  contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in 10.5  New York City metropolitan area and draft allegations re abnormal packet loss rate	8/19/08	MR	Finalize complaint; summons; civil cover sheet for	6.75
to be conducted on RCN network re throttling and potential consultation/expert  8/28/08 MR Discussion w/ Richman re potential expert 0.5  8/28/08 KR Meeting re potential expert; research re effective 4.5  Bit Torrent detection program  September 9/3/08 MR Research regarding which judge case assigned to 0.25  9/11/08 MR Correspondence to Neger re posture of case 0.25  9/12/08 MR Research DSL reports regarding RCN's throttling 5.75  9/15/08 MR Research RCN's potential violation of net neutrality 6.5  rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0  contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate			filing	
potential consultation/expert  8/28/08 MR Discussion w/ Richman re potential expert 0.5  8/28/08 KR Meeting re potential expert; research re effective 4.5  Bit Torrent detection program  September  9/3/08 MR Research regarding which judge case assigned to 0.25  9/11/08 MR Correspondence to Neger re posture of case 0.25  9/12/08 MR Research DSL reports regarding RCN's throttling 5.75  9/15/08 MR Research RCN's potential violation of net neutrality 6.5  rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0  contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/28/08	MR	Meeting w/ consultant re series of diagnostic tests	1.0
8/28/08 MR Discussion w/ Richman re potential expert 0.5 8/28/08 KR Meeting re potential expert; research re effective 4.5 Bit Torrent detection program  September 9/3/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality 6.5 rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate			to be conducted on RCN network re throttling and	
8/28/08 KR Meeting re potential expert; research re effective Bit Torrent detection program  September 9/3/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality 6.5 rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate			potential consultation/expert	
September 9/3/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality 6.5 rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/28/08	MR	Discussion w/ Richman re potential expert	0.5
September 9/3/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality 6.5 rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	8/28/08	KR	Meeting re potential expert; research re effective	4.5
9/3/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality 6.5 rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate			Bit Torrent detection program	
9/3/08 MR Research regarding which judge case assigned to 0.25 9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality 6.5 rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate				
9/11/08 MR Correspondence to Neger re posture of case 0.25 9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality 6.5 rules and standards 9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	<u>September</u>			
9/12/08 MR Research DSL reports regarding RCN's throttling 5.75 9/15/08 MR Research RCN's potential violation of net neutrality 6.5 rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in 10.5 New York City metropolitan area and draft allegations re abnormal packet loss rate	9/3/08	MR	Research regarding which judge case assigned to	0.25
9/15/08 MR Research RCN's potential violation of net neutrality  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs  7.0 contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in  New York City metropolitan area and draft allegations re abnormal packet loss rate	9/11/08	MR	Correspondence to Neger re posture of case	0.25
rules and standards  9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	9/12/08	MR	Research DSL reports regarding RCN's throttling	5.75
9/16/08 MR Research RCN's stance on BitTorrent and whether its runs 7.0 contrary to statements made to public re quality of service 9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	9/15/08	MR	Research RCN's potential violation of net neutrality	6.5
contrary to statements made to public re quality of service  9/17/08 MR Research and investigate significant packet loss rate in  New York City metropolitan area and draft allegations re abnormal packet loss rate			rules and standards	
9/17/08 MR Research and investigate significant packet loss rate in New York City metropolitan area and draft allegations re abnormal packet loss rate	9/16/08	MR	Research RCN's stance on BitTorrent and whether its runs	7.0
New York City metropolitan area and draft allegations re abnormal packet loss rate			contrary to statements made to public re quality of service	
re abnormal packet loss rate	9/17/08	MR	Research and investigate significant packet loss rate in	10.5
*			New York City metropolitan area and draft allegations	
9/18/08 KR Research RCN network management practices in light 4.0				
	9/18/08	KR	Research RCN network management practices in light	4.0

		of FCC action re net neutrality & Comcast	
9/18/08	MR	Draft amended complaint with more specific allegations	7.5
9/19/08	MR	Draft amended complaint w/ packet loss rate allegations	6.0
9/19/08	KR	Review amended complaint	3.0
9/22/08	MR	Draft amended complaint based upon new research	7.5
9/22/08	KR	Review and finalize amended complaint	3.0
9/23/08	MR	Discussion w/ Richman re upcoming mtg/ w/ defendant	0.75
9/23/08	KR	Discussion w/ Michael re tomorrow's meeting	0.75
9/24/08	KR	Meeting with defense counsel	1.0
9/24/08	MR	Meeting w/ defense counsel Neger and Care	1.0
<u>October</u>			
10/15/08	MR	Draft stipulation re extension of time for defendant	0.5
10/20/08	MR	Research complaints regarding rate shaping	5.5
10/21/08	MR	Research possible rate shaping allegations; research ping allegations	7.5
10/21/08	KR	Research Sandvine corporation and technology; access press releases re: use and implementation of Sandvine	8.5
10/23/08	MR	Research re new potential claims (rate shaping; ping)	7.75
10/24/08	MR	Research RCN's use of Sandvine technology to throttle	9.0
10/24/00	IVIIX	internet use, such as BitTorrent; Ares; eDonkey and	7.0
		Gnutella; research potential violation of privacy claims	
10/24/08	MR	Draft amended complaint to expand claims	8.0
10/24/00	IVIIX	Drait amended complaint to expand claims	0.0
<u>November</u>			
11/10/08	SB	Review customer complaints and articles re throttling; compile same	4.0
11/11/08	SB	Continue review of customer complaints and articles re throttling; compile same	2.5
11/12/08	KR	Review compilation of customer complaints	2.5
11/20/08	MR	Correspondence w/ Neger re answer and settlement postu	
11/24/08	MR	Review answer	0.25
11/24/08	KR	Review answer	0.25
11/24/08	KR	Discussion w/ Michael re answer and strategy	0.5
11/24/08	MR	Discussion w/ Richman re strategy given D's answer	0.5
11/24/08	KR	Draft letter	1.0
11/25/08	MR	Correspondence re 26(f) conference	0.25
<u>December</u>			
12/1/08	SB	Draft document requests	1.5
12/2/08	MR	Scheduling 26(f) conference	0.25
12/2/08	SB	Continue drafting document requests	2.0
12/3/08	MR	Draft letter to EFF regarding case	1.5
12/5/08	KR	Finalize EFF letter	0.5
12/5/08	MR	Research and review possible settlement proposed by	6.75

		Defendant	
12/8/08	SB	Review and compile materials as instructed by KR	3.0
12/0/00	SD	in preparation with meeting with opposing counsel	5.0
12/10/08	KR	Meet and confer with Neger re 26(f) and settlement	1.0
12/10/08	MR	26(f) meet and confer	1.0
12/10.08	MR	Draft response to settlement proposal	1.5
12/11/08	SB	Draft interrogatories	3.0
12/11/08	KR	Review and finalize doc requests and interrogatories;	6.0
		26(f) statement; letter response to 10/21/08 order	
12/15/08	KR	Draft response to settlement proposal	2.5
12/16/08	SB	Proofread settlement response as instructed by MR.	0.75
12/16/08	MR	Review and finalize discovery requests	8.5
12/16/08	MR	Review redacted settlement proposal to present to EFF	0.25
12/17/08	KR	Review settlement response prepared by MR;	7.5
		review letter to Judge; review 26(f) statement; review	
		document request and interrogatories; and prepared for	
		meeting with EFF	
12/17/08	SB	Review discovery requests as instructed by KR; compile	2.5
		materials as instructed by KR in preparation for EFF	
10/10/100		meeting; review letter	0.7 (4.10. 0.7. 1)
12/18/08	KR	Travel to SF from JFK	3.5 (1/2 of 7 actual)
12/18/08	MR	Discuss settlement status w/ client	0.5
12/18/08	MR	Finalize and serve response to settlement proposal	2.25
12/19/08	KR	Meeting at EFF w/ Fred von Lohmann,	2.0
12/10/00	MD	Peter Eckersley and MR (by teleconference)	2.0
12/19/08	MR	Meeting w/ EFF	2.0
12/21/08	KR	Return travel from SF to JFK	3.5 (1/2 of 7 actual)
<u>January</u>			
1/3/09	MR	Discuss 26(a)(1) disclosure obligations w/ client	0.25
1/3/09	MR	Draft 26(a)(1) disclosures	5.25
1/3/09	MR	Discuss 26(a)(1) disclosures draft w/ client	0.5
1/5/09	SB	Review 26(a)1 disclosures as instructed by MR	0.75
1/8/09	MR	Prep for and participate in CMC before J. Sullivan	3.5
1/9/09	MR	Review Defendant's 26(a)(1) disclosures and research	5.0
		roles of various persons disclosed	
1/13/09	MR	Discuss case, settlements w/ client S. Chin; discussion	2.0
		w/ EFF re consultation role; draft retainer for Eckersley	
1/22/09	MR	Meeting w/ client re status of case	1.0
1/26/09	MR	Review RCN's responses to questions re settlement	6.5
1.100.100	) (D	Research responses to check validity	2.5
1/28/09	MR	Discussion of settlement w/ Peter Neger; Discussion	3.5
		of possible settlement w/ Fred von Lohmann from EFF;	
1/20/00	IZD	draft discovery responses	2.5
1/29/09	KR	Drafted settlement response letter	3.5

<b>February</b>			
2/5/09	MR	Discuss settlement counterproposal w/ Richman	0.75
2/5/09	KR	Discuss settlement counterproposal w/ MR; assist	2.0
		in revising settlement counterproposal	
2/6/09	MR	Draft settlement counterproposal	3.5
2/6/09	SB	Review & redline settlement proposal as instructed by MR	0.25
2/10/09	MR	Draft settlement counterproposal	3.5
2/10/09	SB	Completed correspondence to Defendant's counsel	0.25
		as requested by MR	
2/11/09	KR	Meeting with Devore & Demarco re independent	1.0
		monitoring	
2/12/09	MR	Discuss settlement counterproposal w/ Neger	0.5
2/18/09	MR	Prep for settlement discussion w/ RCN GC	2.25
2/18/09	KR	Settlement discussion w/ opposing counsel; RCN GC	1.5
2/18/09	MR	Settlement discussion w/ opposing counsel; RCN GC	1.5
2/19/09	MR	Discuss monitoring possibility with DeVore DeMarco	0.5
2/23/09	MR	Review and discuss settlement proposal w/ KR	0.75
2/23/09	KR	Review and discuss settlement proposal w/ MR	0.75
2/25/09	MR	Discuss monitoring agreement w/ Eckersley	0.25
2/27/09	KR	Revise/analyze settlement proposal	1.5
2/27/09	MR	Review monitoring agreement presented by Devore	1.0
2/27/09	KR	review Devore monitoring agreement	1.25
2/27/09	MR	Discuss competing monitor proposals w/ KR	0.75
2/27/09	KR	Discuss monitoring w/ MR	0.75
March			
<u>March</u> 3/2/09	KR	Finalize settlement proposal	1.5
3/2/09	KR MR	Finalize settlement proposal Review ISP Settlement complaint budget	1.5 0.75
	KR MR MR	Review ISP Settlement complaint budget	0.75
3/2/09 3/3/09	MR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent	0.75
3/2/09 3/3/09	MR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by	0.75
3/2/09 3/3/09	MR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent	0.75
3/2/09 3/3/09 3/4/09	MR MR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco.	0.75 4.0
3/2/09 3/3/09 3/4/09	MR MR KR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting	<ul><li>0.75</li><li>4.0</li><li>3.5</li></ul>
3/2/09 3/3/09 3/4/09	MR MR KR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco. Review and prepare copies of Plaintiff's Response to	<ul><li>0.75</li><li>4.0</li><li>3.5</li></ul>
3/2/09 3/3/09 3/4/09	MR MR KR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco. Review and prepare copies of Plaintiff's Response to Defendant's Proposed Settlement Term Sheet for service	<ul><li>0.75</li><li>4.0</li><li>3.5</li></ul>
3/2/09 3/3/09 3/4/09 3/4/09 3/4/09	MR MR KR SB	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco. Review and prepare copies of Plaintiff's Response to Defendant's Proposed Settlement Term Sheet for service as instructed by MR	0.75 4.0 3.5 0.5
3/2/09 3/3/09 3/4/09 3/4/09 3/5/09	MR MR KR SB	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco. Review and prepare copies of Plaintiff's Response to Defendant's Proposed Settlement Term Sheet for service as instructed by MR Draft settlement letter; Discussion with Neger	0.75 4.0 3.5 0.5
3/2/09 3/3/09 3/4/09 3/4/09 3/4/09 3/5/09 3/6/09	MR MR KR SB	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco. Review and prepare copies of Plaintiff's Response to Defendant's Proposed Settlement Term Sheet for service as instructed by MR Draft settlement letter; Discussion with Neger Meeting with expert Peter Eckersley Travel from SFO to New York City Status conference with J. Sullivan of SDNY	0.75 4.0 3.5 0.5 2.25 1.0
3/2/09 3/3/09 3/4/09 3/4/09 3/4/09 3/5/09 3/6/09 3/8/09	MR MR KR SB MR KR KR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco. Review and prepare copies of Plaintiff's Response to Defendant's Proposed Settlement Term Sheet for service as instructed by MR Draft settlement letter; Discussion with Neger Meeting with expert Peter Eckersley Travel from SFO to New York City Status conference with J. Sullivan of SDNY Research independent monitoring options; discussion w/	0.75 4.0 3.5 0.5 2.25 1.0 3.5
3/2/09 3/3/09 3/4/09 3/4/09 3/5/09 3/6/09 3/8/09 3/13/09 3/30/09	MR MR KR SB MR KR KR KR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco. Review and prepare copies of Plaintiff's Response to Defendant's Proposed Settlement Term Sheet for service as instructed by MR Draft settlement letter; Discussion with Neger Meeting with expert Peter Eckersley Travel from SFO to New York City Status conference with J. Sullivan of SDNY Research independent monitoring options; discussion w/ Eckersley re testing protocols	0.75 4.0 3.5 0.5 2.25 1.0 3.5 1.0 4.5
3/2/09 3/3/09 3/4/09 3/4/09 3/4/09 3/5/09 3/6/09 3/8/09 3/13/09	MR MR KR SB MR KR KR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco. Review and prepare copies of Plaintiff's Response to Defendant's Proposed Settlement Term Sheet for service as instructed by MR Draft settlement letter; Discussion with Neger Meeting with expert Peter Eckersley Travel from SFO to New York City Status conference with J. Sullivan of SDNY Research independent monitoring options; discussion w/ Eckersley re testing protocols Discussion w/ Eckersley re RCN resistance to non-P2P	0.75 4.0 3.5 0.5 2.25 1.0 3.5 1.0
3/2/09 3/3/09 3/4/09 3/4/09 3/5/09 3/6/09 3/8/09 3/13/09 3/30/09	MR MR KR SB MR KR KR KR KR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco. Review and prepare copies of Plaintiff's Response to Defendant's Proposed Settlement Term Sheet for service as instructed by MR Draft settlement letter; Discussion with Neger Meeting with expert Peter Eckersley Travel from SFO to New York City Status conference with J. Sullivan of SDNY Research independent monitoring options; discussion w/ Eckersley re testing protocols Discussion w/ Eckersley re RCN resistance to non-P2P testing	0.75 4.0 3.5 0.5 2.25 1.0 3.5 1.0 4.5
3/2/09 3/3/09 3/4/09 3/4/09 3/5/09 3/6/09 3/8/09 3/13/09 3/30/09	MR MR KR SB MR KR KR KR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco. Review and prepare copies of Plaintiff's Response to Defendant's Proposed Settlement Term Sheet for service as instructed by MR Draft settlement letter; Discussion with Neger Meeting with expert Peter Eckersley Travel from SFO to New York City Status conference with J. Sullivan of SDNY Research independent monitoring options; discussion w/ Eckersley re testing protocols Discussion w/ Eckersley re RCN resistance to non-P2P testing Research regarding possibility non-P2P throttling that	0.75 4.0 3.5 0.5 2.25 1.0 3.5 1.0 4.5
3/2/09 3/3/09 3/4/09 3/4/09 3/5/09 3/6/09 3/8/09 3/13/09 3/30/09	MR MR KR SB MR KR KR KR KR	Review ISP Settlement complaint budget Draft letter re independent monitor. Research independent auditing requirements of Sarbanes-Oxley as broached by RCN GC at prior settlement meeting Travel from NYC to San Francisco. Review and prepare copies of Plaintiff's Response to Defendant's Proposed Settlement Term Sheet for service as instructed by MR Draft settlement letter; Discussion with Neger Meeting with expert Peter Eckersley Travel from SFO to New York City Status conference with J. Sullivan of SDNY Research independent monitoring options; discussion w/ Eckersley re testing protocols Discussion w/ Eckersley re RCN resistance to non-P2P testing	0.75 4.0 3.5 0.5 2.25 1.0 3.5 1.0 4.5

<u>Aprii</u>			
4/2/09	MR	Discussion w/ Peter Eckersley re monitoring program	0.5
4/2/09	MR	Research regarding pros and cons of Switzerland v. Glasnot testing	3.5
4/3/09	SB	Review information re P2P and Sandvine; research re same; compile information as instructed by KR.	3.0
4/6/09	MR	Research re Switzerland v. Glasnot testing; discussion w/ Neger re settlement; review letter to judge	1.5
4/13/09	MR	Research difference between Glasnot and Switzerland testing, discuss with expert	4.5
4/14/09	MR	Draft letter to Neger re need for Switzerland testing	1.5
4/16/09	MR	Discussion w/ Neger re Switzerland testing; research re injunctive relief and Switzerland testing	1.75
4/22/09	MR	Research Rate Shaping and BitTorrent throttling In light of Switzerland and Glasnot testing	0.75
4/23/09	MR	Discuss conference re Switzerland w/ Peter Eckersley; conference w/ opposing counsel, RCN technicians, RCN GC and Peter Eckersley	1.75
4/27/09	MR	Review letter to court re settlement status	0.25
4/28/09	KR	Research re: settlement	2.5
4/29/09	MR	Correspond w/ expert and plaintiff re settlement conference	e 0.25
4/30/09	MR	Discuss case w/ Sabrina Chin	0.5
May			
5/1/09	MR	Case management order; discovery discussion w/ opp. Counsel; Draft protective order	4.0
5/5/09	KR	Protective Order – draft	3.5
5/5/09	SB	Review confidentiality order as instructed by MR	0.5
5/7/09	MR	Draft protective order; draft settlement statement	5.0
5/7/09	MR	Discuss Defendants' discovery requests w/ client	0.5
5/7/09	MR	Draft Interrogatories verification for client signature	0.5
5/7/09	MR	Review Defendant's document production on Sandvine; compare Sandvine equipment used by Defendant to those used in the industry to throttle; review submissions made to FCC regarding Sandvine equipment	7.5
5/8/09	MR	Draft letter re settlement status; draft discovery responses	8.0
5/11/09	MR	Finalize letter re status of settlement; review discovery requests	5.0
5/11/09	KR	Discovery request response – interrogatories & document requests; reviewed/edited joint settlement ltr. to Judge Sullivan	5.5
5/11/09	SB	Draft discovery responses as instructed by KR; e-mail re same; review and edit as instructed by KR; review letter to Judge Sullivan as instructed by MR.	4.0
5/12/09	MR	Finalize discovery responses	3.75

5/13/09	MR	Finalize settlement status letter for Court; research Sandvine practices; dinner w/ client and Peter	14.25
		Eckersley; prepare for settlement conference	
5/13/09	SB	(read Comcast's submission to FCC) Format, edit and finalize settlement documents as	1.5
3/13/07	שט	instructed by MR; Compile materials for review by client,	1.5
		Eckersley.	
5/13/09	KR	Meeting w/ Sabrina Chin & Peter Eckersley	3
5/14/09	KR	Settlement Conference – SDNY, J. Sullivan	3.5
		(travel time inclusive)	
5/14/09	MR	Settlement conference (including travel time)	3.5
5/14/09	MR	Draft settlement agreement	1.0
5/19/09	MR	Review and edit settlement term sheet	0.75
5/21/09	MR	Revise settlement agreement	0.5
5/22/09	MR	Revise settlement agreement	0.25
5/26/09	MR	Review draft of settlement agreement & provide comments	s 1.5
5/28/09	MR	Discuss settlement w/ Peter Neger	1.0
5/29/09	KR	Discussion w/ MR re: settlement terms	.5
5/29/09	MR	Review draft of letter to go to Court re settlement status	1.75
		and provide comments to Neger; Draft 30(b)(6)	
		deposition notice; discussion w/ KR re: settlement terms	
Iuno			
<u>June</u> 6/1/09	MR	Discuss settlement w/ Neger; research Sandvine	8.5
0/1/07	IVIIX	P2P Element 8200 given disclosure by Defendant	0.5
6/3/09	MR	Review FCC position on net neutrality	2.25
6/4/09	MR	Research bandwidth caps; query RCN re bandwidth caps	4.75
6/5/09	MR	Discuss proposed settlement w/ Eckersley; research	5.75
		bandwidth caps	
6/8/09	MR	Research proposed settlement	1.5
6/9/09	MR	Research settlement agreement; discuss w/ Neger	3.5
6/12/09	MR	Research FCC and Obama position on net neutrality	3.75
6/15/09	MR	Research issue of net neutrality	2.5
6/15/09	SB	Review statements regarding net neutrality as	4.25
		instructed by MR.	
6/16/09	MR	Prep for deposition of RCN technicians	8.0
6/17/09	KR	Conference call w/ opposing counsel; in-house engineers;	2.5
		and expert (Eckersley); internal discussion re:	
		settlement terms	
6/17/09	MR	Prepare for deposition of RCN technicians; discussion w/	12.5
		expert Eckersley re depos; depos	
C14.0.10.0		follow-up discussion with Eckersley	<b>-</b> -
6/18/09	MR	Research issues raised in depositions and	5.5
C110100	1.00	draft settlement term sheet	2.5
6/19/09	MR	Finalize settlement term sheet; draft letter to court re	3.5
		settlement term sheet	

6/23/09	MR	Discussion w/ Peter Neger re settlement	0.25
6/24/09	MR	Research issue re settlement value; draft settlement	5.5
		agreement	
6/24/09	KR	Settlement research re form of notice	2.5
6/25/09	MR	Draft settlement agreement	5.75
6/25/09	SB	Review 10K regarding RCN customers; review pricing	0.75
		of RCN services; e-mail to MR regarding same	
6/26/09	MR	Draft motion for preliminary approval	8.5
6/29/09	MR	Draft motion for preliminary approval;	9.75
		research J. Sullivan cases on class action settlements	
<u>July</u>			
7/1/09	MR	Finalize and serve discovery requests	4.75
7/2/09	KR	Review Settlement Agreement	2.5
7/2/09	SB	Review settlement as instructed by MR	1.0
7/14/09	KR	Research Motion for Settlement Approval	4.0
7/15/09	KR	Draft Motion for Settlement Approval	4.5
7/16/09	KR	Finalize Motion for Settlement Approval	4.0
7/17/09	SB	Format letter to Judge Sullivan as requested by MR	0.25
7/20/09	KR	Draft [Proposed] Order	3.5
7/22/09	SB	Redline settlement agreement as requested by MR;	0.25
		e-mail to P. Neger re same	
7/23/09	KR	Draft Preliminary Order	4.5
7/23/09	SB	Format and edit order as requested by KR	1.25
7/23/09	MR	review confidentiality agreement re monitoring; discuss	0.75
		w/ Eckersley	
7/24/09	KR	Draft Notice of Motion	1.5
7/26/09	SB	Incorporate Neger edits into draft settlement agreement	0.5
7/27/09	MR	Draft Motion for Preliminary Approval of Settlement	5.75
7/27/09	SB	Review and edit MPA in support of Preliminary Approval	3.5
		as instructed by MR; prepare declaration as instructed by	
		MR; Emails re same	
7/28/09	SB	Review and edit MPA in support of Preliminary Approval	2.5
		as instructed by MR	
7/28/09	MR	Draft settlement papers	5.0
7/30/09	BW	Review and send e-mails re: motion; teleconferences	4.0
		w/ SB; review and edit papers in support of Plaintiffs	
		Motion for Preliminary Approval of Settlement.	
7/30/09	KR	Prepare Notice of Motion & Motion for	1.5
		Preliminary Approval	
7/30/09	SB	Review and edit Motion for Preliminary Approval;	5.0
		e-mails to MR, KR and BW re same	
731/09	MR	Finalize and file Motion for Preliminary Approval	5.0
7/31/09	SB	Review and edit Motion for Preliminary Approval as	3.0
		instructed by BW, MR and KR	

<u>August</u>			
8/3/09	MR	Draft preliminary approval order for Magistrate Fox's signature	0.25
8/3/09	SB	Prepare courtesy copy as requested by MR.	0.25
8/4/09	SB	Deliver courtesy copy to Hon. Kevin Fox as instructed by MR	0.5
8/6/09	MR	meeting w/ EFF re settlement; discussion re confidentiality order	0.75
8/12/09	MR	discussion w/ Prof. Grossman	0.75
8/13/09	MR	communications and discussion w/ Grossman	1.0
8/14/09	MR	discussion w/ Grossman	0.5
8/21/09	MR	review CAFA letters to Attorney Generals	0.25
8/25/09	KR	phone conference w/ Ted Grossman	0.75
8/25/09	MR	discussion w/ Prof. Grossman	0.75
8/25/09	MR	draft supplemental initial disclosures	0.50
September			
9/2/09	KR	reviewed Defendant's doc requests; subpoena to Grossmar Discuss w/ Ted Grossman	ı; 1.5
9/2/09	MR	review Second request for documents and subpoena	0.5
9/3/09	KR	discussion w/ Prof. Grossman	0.25
9/3/09	KR	reviewed monitoring budget/confidentiality order	0.5
9/10/09	KR	review of analysis by Prof. Grossman	1.5
9/11/09	KR	review of analysis; conference call w/ Grossman re report	1.5
9/23/09	SB	reviewed, edited and formatted letter to J. Sullivan as instructed by MR	0.25
9/23/09	MR	draft letter to Sullivan re settlement status	0.25
9/30/09	MR	Review settlement term sheet re payment to be paid to independent monitor; email with P. Neger re same	0.25
9/30/09	MR	Draft response to second request for the production of documents; research whether discovery can be requested Under Federal Rules after settlement reached in matter	1.50
9/22/09	MR	Discussion w/ Grossman re subpoena; discussion w/ Neger re same; relay Neger's response to Grossman that subpoena is still in effect	0.25
9/23/09	MR	review final version of protective order, Draft letter to J. Sullivan re protective order	0.5
October 10/2/20			0.5-
10/2/09	MR	Draft responses and objections to Second	0.25
4047400		f Discovery Requests	
10/5/09	SB	prepare copy of Plaintiffs' Responses to Defendant's Second Set of Requests for Production of Documents	0.25
10/5/09	MR	Finalize and serve discovery requests responses	0.50

10/5/09	MR	discussion w/ Peter Neger re monitoring budget; 0 status of preliminary approval and approach to take to court to grant preliminary approval	.25
10/21/09	MR	• 1 • 11	2.75
10/21/09	MR	1 1 11 0	2.0
10/22/09	MR		0.25
10/22/09	17117	diseass premimary approval nearing with enem clim	0.23
<u>April</u>			
4/28/10	MR	Draft memo of law in support of motion for final approval	7.5
4/29/10	MR	Draft memo or law in support of motion for final approval	7.75
4/30/10	MR	Draft memo in support of motion for final approval	5.5
<u>May</u>			
5/1/10	MR	Draft memo in support of motion for final approval	2.5
5/3/10	KR	Meeting w/ class member re settlement	0.25
5/4/10	KR	reviewed and researched objections	1.5
5/7/10	MR	Draft memo of law in support of motion for final approval	7.25
5/7/10	MR	Draft memo of law in support of motion for final approval	7.5
5/10/10	MR	Draft memo of law in support of motion for final approval	7.5
5/11/10	KR	Researched objections and standing issues	3.5
5/11/10	MR	Draft rule 23(e)(3) statement	0.5
5/11/10	MR	Draft Reese Declaration in support of final approval	4.25
5/12/10	KR	Reviewed letter to court re objections	0.5
5/12/10	MR	Research and draft response to Nolan letter re conference reques	st 5.5
5/19/10	MR	Prep for pre-motion conference call w/ Court	1.25
5/20/10	KR	conference call w/ Court	0.25
5/20/10	MR	Pre-motion conference call w/ Court	0.25
5/24/10	MR	Draft memo of law in support of motion for final approval	5.75
5/24/10	KR	Reviewed and edited motion for final approval	2.0
5/26/10	MR	Draft memo of law in support of motion for final approval	3.25
5/27/10	MR	Draft memo law in support of motion for final approval	2.5
5/28/10	BW	Review motion for final approval and provide edits	1.5
5/28/10	MR	Finalize and file mtn for final approval; memo of law in support	7.25
		thereof, and supporting document	